

ing overlapping road districts and requiring the commissioners courts in case one road district conflicts with or overlaps another district, to pass an order correctly redefining it, and validating all overlapping road districts, except the part thereof which overlaps or embraces any portion of a contiguous road district or road districts, and ratifying all regular and proper proceedings had with reference to bond issues therein, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 637d of Section 2, Chapter 203, General Laws of the Regular Session of the Thirty-fifth Legislature, be amended so as to hereafter read as follows:

Article 637d. Where a political subdivision or defined road district of a county has heretofore been established and issued bonds or is hereafter established and issues bonds, no political subdivision or defined road district shall thereafter be created or established overlapping the same territory or embracing any part thereof while any of the bonds of such political subdivision or defined road district are outstanding and unpaid, except as hereinabove provided for the county as a whole:

Provided that in the event the boundaries of any defined road district hereafter created or established overlap or embrace any part of the territory or area of another defined road district or road districts theretofore created or established, such road district shall be invalid only as to that portion thereof which overlaps or embraces any part of the territory of a defined road district or road districts theretofore established, and it shall be the duty of the commissioners court of the county in which such conflicting road districts are situated to pass a nunc pro tunc order accurately defining the boundaries of the subsequently created road district in conformity to the boundaries of such contiguous road district or road districts;

Provided further that all defined road districts in this State heretofore attempted to be established where the territory already embraced therein overlaps any portion of the territory embraced within the boundaries of another defined district or

road districts theretofore formed or established are validated in all respects, except as to that portion thereof which overlaps or embraces any part of the road district or road districts first created or established, and it shall be the duty of the commissioners court of the county in which such districts are situated to pass a nunc pro tunc order accurately defining the boundaries of the road district attempted to be created or established so as to conform to the boundaries of the contiguous road district or road districts;

And provided that all regular and proper proceedings and orders had made in the issuance of bonds or proposed bonds in, such defined road districts attempted to be established prior to the taking effect of this Act are hereby in all things validated, ratified and confirmed; provided that this Act shall in no way affect or repeal any provision of any special road law heretofore enacted for any county.

Section 2. The inadequacy of the present law in relation to the subject matter of this Act creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and said rule is suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted.

#### FIFTEENTH DAY.

Senate Chamber,  
Austin, Texas,

Friday, March 15, 1918.

The Senate met at 10 o'clock a. m. pursuant to adjournment and was called to order by President Pro Tem. Decherd.

By unanimous consent, and on request of Senator Alderdice, the Senate stood at ease for five minutes, at the expiration of which time, the roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Dean.
Bailey.	Decherd.
Bee.	Faust.
Buchanan of Bell.	Floyd.
Buchanan of Scurry.	Gibson.
Caldwell.	Hall.
Clark.	Henderson.
Collins.	Hopkins.

Hudspeth.	Robbins.
Johnson of Hall.	Smith.
Johnston of Harris.	Strickland.
Lattimore.	Sulter.
McNealus.	Westbrook.
Page.	Woodward.
Parr.	

Absent—Excused.

Dayton.	McCollum.
---------	-----------

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Buchanan of Scurry.

Excused.

Senator Dayton was excused indefinitely on account of sickness on motion of Senator Gibson.

Senator Robbins for today, on account of sickness on motion of Senator Gibson.

#### Petitions and Memorials.

See Appendix.

#### Committee Reports.

See Appendix.

Morning call concluded.

#### Senate Bill No. 32.

Senator McNealus called from the table and the Chair laid before the Senate on its second reading:

S. B. No. 32, A bill to be entitled "An Act to amend Article 921, Chapter 5, Title 22, of the Revised Civil Statutes of Texas relating to appeals from the corporation courts and adding thereto Article 921a providing that in cities of ninety thousand population or over, incorporated under special charters and situated in counties containing one hundred and twenty-five thousand population or over for appeals from the corporation courts to the Court of Criminal Appeals of Texas, and declaring an emergency."

Senator McNealus offered the following amendments:

(1) Amend Article 921a, of Senate Bill No. 32, as printed in the

Senate Journal on page 175, by adding after the words "or a law of the State," the following: "Where a fine of twenty-five dollars or more is assessed and in such cases only."

The amendment was read and adopted.

Senator McNealus offered the following amendment, which was read and adopted.

(2) Amend the bill, Article 921a, on page 175 of the Senate Journal, by inserting after the words "census of the United States" the words and figures, "of 1910."

The bill was read second time and failed to pass to engrossment by the following vote:

Yeas—6.

Caldwell.	McNealus.
Gibson.	Parr.
Johnston of Harris.	Woodward.

Nays—20.

Alderdice.	Hall.
Bailey.	Henderson.
Bee.	Hopkins.
Buchanan of Scurry.	Johnson of Hall.
Clark.	Lattimore.
Collins.	Page.
Dean.	Smith.
Decherd.	Strickland.
Faust.	Sulter.
Floyd.	Westbrook.

Present—Not Voting.

Buchanan of Bell.	Robbins.
Hudspeth.	

Absent—Excused.

Dayton.	McCollum.
---------	-----------

#### Executive Session Postponed.

The hour, 11 o'clock a. m., for executive session having arrived, Senator McNealus moved that executive session be postponed for fifteen minutes. The motion prevailed.

#### House Bill No. 65.

The Chair laid before the Senate, on second reading:

H. B. No. 65, A bill to be entitled "An Act creating the Follett Independent School District in Lipscomb County, Texas."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Johnson of Hall, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 65 put on its third reading and final passage by the following vote:

Yeas—27.

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Clark.	Parr.
Collins.	Robbins.
Dean.	Smith.
Decherd.	Strickland.
Faust.	Suiter.
Floyd.	Westbrook.
Gibson.	Woodward.
Henderson.	

Absent.

Hall. Johnston of Harris.

Absent—Excused.

Dayton. McCollum.

The bill was laid before the Senate, read third time and, on motion of Senator Johnson of Hall, was passed by the following vote:

Yeas—27.

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Clark.	Parr.
Collins.	Robbins.
Dean.	Smith.
Decherd.	Strickland.
Faust.	Suiter.
Floyd.	Westbrook.
Gibson.	Woodward.
Henderson.	

Absent.

Hall. Johnston of Harris.

Absent—Excused.

Dayton. McCollum.

# House Bill No. 8.

The Chair laid before the Senate on third reading:

H. B. No. 8, A bill to be entitled "An Act prohibiting the manufacture, sale, barter or exchange of spirituous, vinous or malt liquors, or liquors of any character capable of producing intoxication within this State on and after the taking effect of this Act, except for medicinal, mechanical, scientific or sacramental purposes; prohibiting the use of premises, devices and aids in the manufacture, sale, barter or exchange of such liquors; providing penalties for violation of this Act, providing certain civil remedies for the enforcement of the terms of this Act, the same being cumulative of all other remedies relevant thereunto; prescribing the terms upon which liquors may be manufactured, sold, bartered or exchanged for medicinal, mechanical, scientific or sacramental purposes; providing procedure for the procuring of evidence for the enforcement of the terms of this Act and providing procedure for the prevention of violations of the terms of this Act; repealing certain laws in conflict herewith, making the terms of this Act cumulative of all other laws upon the subject not in conflict herewith; extending to the entire State the provisions of certain statutes heretofore applicable to local option territory, making it a felony punishable by confinement in the penitentiary to keep a cold storage or place for the keeping for others of such liquors and punishing corporations by fines, penalties and forfeiture of charters for the violation of this; providing penalties and remedies against officers charged with any duty in connection with the enforcement of this Act for failure to perform such duties; prescribing venue; and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Lattimore, was passed by the following vote:

Yeas—18.

Alderdice.	Decherd.
Buchanan of Bell.	Floyd.
Buchanan of Scurry.	Gibson.
Collins.	Henderson.
Dean.	Hopkins.

Lattimore.	Strickland.
McNealus.	Suiter.
Robbins.	Westbrook.
Smith.	Woodward.

Nays—9.

Balley.	Hudspeth.
Bee.	Johnston of Harris.
Clark.	Page.
Faust.	Parr.
Hall.	

Pairs Recorded.

Senator Caldwell (present), who would vote "nay;" Senator Dayton (absent), who would vote "yea."

Senator Johnson of Hall (present), who would vote "yea;" Senator McCollum (absent), who would vote "nay."

#### Message from the House.

Hall of House of Representatives.  
Austin, Texas, March 15, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 28, A bill to be entitled "An Act to make effective the provisions of Section 59 of Article 16, of the Constitution, providing for the creation of conservation and reclamation districts, and providing that any water improvement district, drainage district or levee improvement district organized or to be organized as defined districts under the provisions of any law of this State, and Section 52 of Article 3, of the Constitution, may avail itself of the benefits of Section 59, of Article 16, of the Constitution, and providing that any such district may incur indebtedness and levy taxes necessary to carry out the purpose of its organization, removing restrictions and limitations of indebtedness to be incurred by any such district; providing for the management and control of such district; and declaring an emergency."

Respectfully,

BOB BARKER,  
Chief Clerk, House of Representatives.

#### Bill Read and Referred.

The Chair, President Pro Tem.

Decherd, had referred, after its caption had been read, the following House bill:

H. B. No. 28, referred to the Committee on Mining, Irrigation and Drainage.

#### Executive Session.

The Chair announced that the hour, 11:15 o'clock a. m., the hour to which executive session had been postponed, had arrived and directed the Sergeant-at-Arms to clear the Chamber of all persons not entitled to remain. It was accordingly done, and the Senate proceeded to executive session.

The Secretary reported to the Journal Clerk that the following recess appointment, by the Governor, had been confirmed by the Senate in executive session, to wit:

Hon. Curtis Hancock, Chairman, State Highway Commission, Dallas County, vice Hon. Curtis Hancock, resigned.

#### In the Senate.

(President Pro Tem. Decherd in the chair.)

#### House Bill No. 56.

The Chair laid before the Senate, on second reading:

H. B. No. 56, A bill to be entitled "An Act to establish and create a Criminal District Court for Bowie County; to provide for the jurisdiction of and procedure in said court; to fix the time for holding the terms of said court; to provide for the appointment, election, qualification, duties, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

On motion of Senator Henderson the bill was laid on the table subject to call.

#### Recess.

At 12:15 o'clock p. m., the Senate, on motion of Senator Hopkins, recessed until 2 o'clock today.

## After Recess.

(Afternoon Session.)

The Senate was called to order by President Pro Tem. Decherd.

## Senate Bill No. 70.

The Chair laid before the Senate on second reading:

S. B. No. 70, A bill to be entitled "An Act to amend Article 921 of the Code of Criminal Procedure of the State of Texas adopted at the regular Session of the Thirty-second Legislature in 1911, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 70 put on its third reading and final passage by the following vote:

Yeas—21.

Alderdice.	Henderson.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Hudspeth.
Caldwell.	Johnson of Hall.
Clark.	McNealus.
Collins.	Page.
Decherd.	Parr.
Faust.	Smith.
Floyd.	Suiter.
Gibson.	Westbrook.
Hall.	

Absent.

Bailey.	Lattimore.
Bee.	Robbins.
Dean.	Strickland.
Johnston of Harris.	Woodward.

Absent—Excused.

Dayton. McCollum.

The bill was laid before the Senate, read third time and, on motion of Senator Hudspeth, was passed by the following vote:

Yeas—22.

Alderdice.	Clark.
Bailey.	Collins.
Buchanan of Bell.	Decherd.
Buchanan of Scurry.	Faust.
Caldwell.	Floyd.

Gibson.	Lattimore.
Hall.	McNealus.
Henderson.	Parr.
Hopkins.	Smith.
Hudspeth.	Suiter.
Johnson of Hall.	Westbrook.

Absent.

Bee.	Robbins.
Dean.	Strickland.
Johnston of Harris.	Woodward.
Page.	

Absent—Excused.

Dayton. McCollum.

## Senate Bill No. 72.

The Chair laid before the Senate on third reading:

S. B. No. 72, A bill to be entitled "An Act to amend an act to reorganize the Twenty-seventh and Thirty-fifth Judicial Districts of the State of Texas, and to fix the time for holding court therein as passed by the Thirty-third Legislature, Chapter 61; and to fix the time for holding court in the counties of the Twenty-seventh Judicial District and to repeal all laws and parts of laws in conflict therewith."

Senator Buchanan of Bell offered the following amendment which was read and adopted by unanimous vote:

Amend Senate Bill No. 72 by striking out all of Section 2, after the word "repealed," and add Section 3, as follows:

Section 3. The fact that the docket of the district court is now very much congested and that it will be impossible for the said court to relieve said docket for many years unless this measure for its relief shall be enacted, creates an emergency and imperative public necessity, requiring the suspension of the constitutional rule that bills be read on three several days, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Amend the caption to conform to this amendment.

The bill was laid before the Senate, read third time and, on motion of Senator Buchanan of Bell, was passed by the following vote:



## Yeas—21.

Alderdice.	Henderson.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Hudspeth.
Caldwell.	Johnson of Hall.
Clark.	McNealus.
Collins.	Page.
Decherd.	Parr.
Faust.	Smith.
Floyd.	Sulter.
Gibson.	Westbrook.
Hall.	

Absent.

Bailey.	Lattimore.
Bee.	Robbins.
Dean.	Strickland.
Johnston of Harris.	Woodward.

Absent—Excused.

Dayton.	McCollum.
---------	-----------

## Messages from the Governor.

A messenger here appeared at the bar of the Senate with several executive messages, which were laid before the Senate and read, as follows:

Governor's Office.

Austin, Texas, March 15, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

At the request of Messrs. Carlock and Miller of Dallas, I submit for your consideration, the subject of providing an adequate law regulating the compensation to be paid to members of the commissioners courts of Texas and validating previous acts of the Legislature contained in road laws which have prescribed salaries.

Respectfully submitted,

W. P. HOBBY,  
Governor of Texas.

Governor's Office.

Austin, Texas, March 14, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

At the request of Senators Hudspeth, Bailey, Hall, and Bee, and Messrs. Nordhaus, Cox of Ellis, Mendell and Lackey, I submit for your consideration, the enactment of a law to authorize the commissioners courts of the several counties in the State of Texas to permit the owners of lands not situated in incorporated towns or villages, where the same have been subdivided into lots and blocks, or similar subdivisions, to

cancel or annul such subdivisions by declaration to that effect, in writing, to be recorded in the deed records of such counties, and to authorize such commissioners courts to assess said lands upon an acreage basis and to accept the payment of taxes, if delinquent, for such delinquent years, upon assessment as now provided by law, upon an acreage basis.

Respectfully submitted,

W. P. HOBBY,  
Governor of Texas.

Governor's Office.

Austin, Texas, March 15, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

At the request of Hon. W. M. Fly, I submit for your consideration, the enactment of a law to amend Section 2, of House Bill No. 525, enacted by the Thirty-fifth Legislature at the Regular Session, creating the Nixon Independent School District, and, as amended by Section 1, House Bill No. 89, Thirty-fifth Legislature, First Called Session; revising metes and bounds of said district.

Respectfully submitted,

W. P. HOBBY,  
Governor of Texas.

Governor's Office.

Austin, Texas, March 15, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

At the request of Senator Lon. A. Smith, I submit for your consideration an Act to amend Section 1, of Chapter 70 of the Acts of the Thirty-fourth Legislature, entitled, "An Act to amend an Act of the Thirty-second Legislature entitled 'An Act to amend Article 21, Title 4, of the Revised Civil Statutes, and to amend an Act passed by the Thirtieth Legislature creating the Sixth Supreme Judicial District of Texas, and to create the Seventh and Eighth Supreme Judicial Districts of Texas,' and to create the Ninth Supreme Judicial District of Texas, and to provide for the organization of a Court of Civil Appeals within the Ninth Supreme Judicial District of Texas, and to repeal all laws in conflict by providing that Panola County shall constitute a part of the Sixth Supreme Judicial District."

Respectfully submitted,

W. P. HOBBY,  
Governor of Texas.

Governor's Office.  
Austin, Texas, March 15, 1918.

To the Thirty-fifth Legislature in  
Fourth Called Session.

I beg to submit for your consideration the following subject:

"An Act declaring that casualty insurance companies incorporated under Chapter 117 General Laws passed by the Regular Session of the Thirty-second Legislature, shall hereafter have authority to write marine insurance in which may be included the hazards and perils incident to war."

Respectfully submitted,  
W. P. HOBBY,  
Governor of Texas.

#### Bills and Resolutions.

(By unanimous consent.)

By Senator Hudspeth.

S. B. No. 92, A bill to be entitled "An Act providing for additional compensation for district attorneys and county attorneys performing the duties of district attorneys in counties containing cities of thirty-five thousand inhabitants and over, and where army posts are now located, according to the last Federal census in prosecutions of violations of what is known as the 'Ten Mile Zone Law,' and in investigations before grand juries, and declaring an emergency."

Read first time and referred to the Committee on Judicial Districts.

By Senator Hudspeth.

S. B. No. 93, A bill to be entitled "An Act to authorize the commissioners courts of the several counties in the State of Texas to permit the owners of lands not situated in the incorporated towns and villages, where the same have not been subdivided into lots and blocks and similar subdivisions, to cancel or annul such subdivisions by declaration to that effect, in writing, to be recorded in the deed records of such counties, and to authorize such commissioners courts to assess said lands upon an acreage basis and to accept the payment of taxes, if delinquent, for such delinquent years, upon assessments as now provided by law, upon an acreage basis."

Read first time and referred to the

Committee on Counties and County Boundaries.

By Senator Lattimore et al.

S. B. No. 94, A bill to be entitled "An Act to amend Chapter 1, Section 119 Revised Civil Statutes of Texas, 1911, by adding thereto, Articles 6901a, 6901b, 6901c, 6901d and 6901e; fixing the compensation of county commissioners in counties having a population of thirty thousand and over; providing a method of determining the population; providing that if any part of this Act be declared void the same shall not affect the remaining portions; validating the acts of any commissioners court in heretofore paying the amount of salary provided by any road law, and declaring an emergency."

Read first time and referred to the Committee on Counties and County Boundaries.

By Senator McNealus.

S. B. No. 95, A bill to be entitled "An Act declaring that casualty insurance companies incorporated under Chapter 117, General Laws passed by the Regular Session of the Thirty-second Legislature shall hereafter have authority to write marine insurance, in which may be included the hazards and perils incident to war; and declaring an emergency."

Read first time and referred to the Committee on Banking and Insurance.

By Senator Smith.

S. B. No. 96, A bill to be entitled "An Act to amend Section 1, of Chapter 70 of the Acts of the Thirty-fourth Legislature, entitled an Act to amend an Act of the Thirty-second Legislature entitled 'An Act to amend Article 21, Title 4, of the Revised Civil Statutes, and to amend an Act passed by the Thirtieth Legislature creating the Sixth Supreme Judicial District of Texas, and to create the Seventh and Eighth Supreme Judicial Districts of Texas,' and to create the Ninth Supreme Judicial District of Texas, and to provide for the organization of a Court of Civil Appeals within the Ninth Supreme Judicial District of Texas, and to repeal all laws in conflict by providing that Panola County shall constitute a part of the Sixth Supreme Judicial District and declaring an emergency."

Read first time and referred to the Committee on Judicial Districts.

### Bills Signed.

The Chair, President Pro Tem. Decherd, gave notice of signing and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 32, A bill to be entitled "An Act to diminish and re-establish the limits of Talpa Independent School District, repealing all laws so far as they conflict herewith, and declaring an emergency."

H. B. No. 55, A bill to be entitled "An Act to create the Lamkin Independent School District in Comanche County, Texas, and declaring an emergency."

H. B. No. 53, A bill to be entitled "An Act creating Burkeville Independent School District in Newton County, Texas, and declaring an emergency."

H. B. No. 60, A bill to be entitled "An Act creating the Highland Independent School District in McLennan County, Texas, etc., and declaring an emergency."

S. B. No. 41, A bill to be entitled "An Act to amend Chapter 93 of the Acts of the Thirty-fifth Legislature approved by the Governor, March 26, 1917, and being 'An Act creating the El Paso County Court at Law, to fix and prescribe the jurisdiction thereof, and to conform to such change in the jurisdiction of the county court of El Paso County, fixing the salaries of the judges of the county court of El Paso County, and of the El Paso County Court at Law, and declaring an emergency.'"

H. B. No. 54, A bill to be entitled "An Act creating the Hutto Independent School District in Williamson County, Texas, and declaring an emergency."

S. B. No. 65, A bill to be entitled "An Act creating the Follett Independent School District of Lipscomb County; defining its metes and bounds, vesting it with the rights, powers, duties and privileges of districts incorporated for school purposes only under the General Laws; providing for a board of trustees thereof; and declaring an emergency."

Senate Concurrent Resolution No.

8, relating to interest due on public free school land and holding same in abeyance until August, 1919.

### Senate Bill No. 27.

The Chair laid before the Senate on second reading:

S. B. No. 27, A bill to be entitled "An Act to permit railroad corporations, by and with the permission of the Railroad Commission of Texas, and the county commissioners court of the county wherein located, to change, relocate, or abandon any portion of its lines without and adjacent to the limits of any incorporated city containing 50,000 inhabitants or more according to the United States census of 1910, and to permit such railroad corporation to change, relocate or abandon any portion of its line within the limits of any incorporated city containing 50,000 inhabitants or more, by and with the permission of the Railroad Commission of Texas and the city council or board of aldermen of such city; and to require such railroad corporation to make such change, relocation or abandonment upon the order of such Railroad Commission, upon the application of such city council or board of aldermen, and providing for the exercise of the right of eminent domain to acquire right of way and depot grounds when lines are changed or relocated, and validating such changes, relocations or abandonments when heretofore authorized by the Railroad Commission of Texas; and repealing all laws or part of laws in conflict herewith, and declaring an emergency."

The committee report carrying committee amendments and that the bill be printed in the Journal only, was adopted.

Senator McNealus offered the following amendment which was read and adopted.

(1) Amend Senate Bill No. 27, Section 1, line 1, by inserting after the words "in this State," the words "whether incorporated under State or Federal charter."

Senator Collins offered the following amendment:

After Section 2, as in the original Senate Bill No. 27, add as follows:

"Provided that no such railroad track shall be removed until the



damages which will be suffered by any owner by virtue of such removal shall be ascertained as now provided in condemnation proceedings for railroad right of ways and such damages have been fully paid.

COLLINS.

On motion of Senator Bailey, the amendment was tabled.

The bill was read second time and passed to engrossment.

On motion of Senator Johnston of Harris, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 27 put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Clark.	Lattimore.
Decherd.	McNealus.
Faust.	Page.
Floyd.	Parr.
Gibson.	Smith.
Hall.	Strickland.
Henderson.	Westbrook.

Nays—2.

Collins. Sulter.

Absent.

Buchanan of Bell. Robbins.  
Caldwell. Woodward.  
Dean.

Absent—Excused.

Dayton. McCollum.

The bill was laid before the Senate, read third time and, on motion of Senator Johnston of Harris, was passed by the following vote:

Yeas—22.

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Clark.	Lattimore.
Decherd.	McNealus.
Faust.	Page.
Floyd.	Parr.
Gibson.	Smith.
Hall.	Strickland.
Henderson.	Westbrook.

Nays—2.

Collins.

Sulter.

Absent.

Buchanan of Bell. Robbins.  
Caldwell. Woodward.  
Dean.

Absent—Excused.

Dayton. McCollum.

Senator McNealus moved to reconsider the vote by which the bill was passed and table the motion to reconsider.

The motion to table prevailed.

#### House Bill No. 26.

The Chair laid before the Senate on third reading:

H. B. No. 26, A bill to be entitled "An Act to amend Chapter 67, of the Acts of the Regular Session of the Thirty-third Legislature as amended by Chapter 31, of the Acts of the First Called Session of the Thirty-third Legislature, regulating the shipment and sale of intoxicating liquor; this Act being to amend the aforesaid Act of the Legislature so that Sections 2, 3, 4 and 5 of said Chapter 31 of the Acts of the First Called Session of the Thirty-third Legislature shall be divided into seven sections, to be known in said chapter as Sections 2, 3, 4, 5, 5a, 5b, and 5c, and also by amending Section 9 of said Chapter 31, so that said sections as thus divided and amended shall read, in substance, that, except as otherwise provided, it shall be unlawful for any person to possess intoxicating liquors for personal use, sale, or other purpose, or receive from a common carrier or any person, firm or corporation or any officer, agent, or employe thereof in any place where sale of intoxicating liquors is prohibited; making this provision apply to interstate as well as intrastate shipments and carriers, etc., and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Lattimore, was passed finally.

#### Senate Bill No. 55.

The Chair laid before the Senate on second reading:

S. B. No. 55, A bill to be entitled "An Act conferring upon the Railroad Commission of Texas the power to require persons, firms, corporations and receivers, owning or operating railroads within the State of Texas, to arrange or rearrange, or relocate their railroad tracks and depot buildings at stations when and where the safety of the public may require such arrangement or rearrangement; providing procedure for such requirement; and declaring an emergency."

The committee report that the bill be not printed and carrying the committee amendment was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Hopkins, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 55 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Caldwell.	Johnston of Harris.
Clark.	Lattimore.
Collins.	McNealus.
Decherd.	Page.
Faust.	Parr.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Sulter.
Henderson.	Westbrook.

Absent.

Bailey.	Robbins.
Buchanan of Scurry.	Woodward.
Dean.	

Absent—Excused.

Dayton.	McCollum.
---------	-----------

The bill was laid before the Senate, read third time and, on motion of Senator Hopkins was passed finally.

Senator Hopkins moved to reconsider the vote by which the bill was passed and table the motion to reconsider.

The motion to table prevailed.

#### Personal Privilege.

Senator Westbrook arose to speak to a question of personal privilege

because of certain statements in the Dallas News.

Senator Hopkins made the following point of order.

"I make the point of order that it is out of order for one member of a branch of the Legislature to speak of a member of the other branch of the Legislature by name."

The Chair overruled the point of order.

(Senator Johnson of Hall in the chair.)

#### Senate Bill No. 92.

Senator Hudspeth moved that the constitutional rule requiring bills to be read on three several days be suspended and Senate Bill No. 92 put on its second reading.

The motion prevailed by the following vote:

Yeas—22.

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	Lattimore.
Clark.	McNealus.
Collins.	Page.
Floyd.	Parr.
Gibson.	Smith.
Hall.	Strickland.
Henderson.	Westbrook.

Nays—1.

Sulter.

Absent.

Caldwell.	Faust.
Dean.	Robbins.
Decherd.	Woodward.

Absent—Excused.

Dayton.	McCollum.
---------	-----------

The Chair laid before the Senate on second reading:

S. B. No. 92, A bill to be entitled "An Act providing for additional compensation for district attorneys and county attorneys performing the duties of district attorneys in counties containing cities of thirty-five thousand inhabitants and over, and where army posts are now located, according to the last Federal census, in prosecutions of violations of what is known as the 'Ten Mile Zone Law,' and in investigations before

grand juries, and declaring an emergency."

The Senate rule requiring committee reports to lie over one day was suspended.

The committee report that the bill be not printed was adopted.

Senator Hudspeth offered the following amendment, which was read and adopted:

(1) Amend the bill by adding at the end of Section 1, the following:

"By the word army post as herein mentioned, an army post shall constitute a permanent fort which has been established ten years or more."

Senator Hopkins offered the following amendment which was read and adopted:

Amend Senate Bill No. 92, by adding at the end of Section 1, the following.

"Provided, that such additional compensation shall not be granted to any officer where the same will increase his entire compensation to more than five thousand dollars per annum."

The bill was read second time and passed to engrossment.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 92 put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Hall.
Bee.	Henderson.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Hudspeth.
Caldwell.	Johnson of Hall.
Clark.	Johnston of Harris.
Collins.	Lattimore.
Decherd.	McNealus.
Faust.	Smith.
Floyd.	Strickland.
Gibson.	Westbrook.

Nays—1.

Suiter.

Absent.

Bailey.	Parr.
Dean.	Robbins.
Page.	Woodward.

Absent—Excused.

Dayton. McCollum.

The bill was laid before the Senate, read third time and, on mo-

tion of Senator Hudspeth, was passed by the following vote:

Yeas—21.

Alderdice.	Hall.
Bailey.	Henderson.
Bee.	Hopkins.
Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	Johnston of Harris.
Clark.	Lattimore.
Collins.	McNealus.
Decherd.	Strickland.
Faust.	Westbrook.
Floyd.	

Nays—2.

Gibson. Suiter.

Absent.

Dean.	Robbins.
Page.	Smith.
Parr.	Woodward.

Absent—Excused.

Dayton. McCollum.

#### House Bill No. 56.

Senator Henderson called from the table, and the Chair laid before the Senate on second reading:

H. B. No. 56, A bill to be entitled "An Act to establish and create a Criminal District Court for Bowie County; to provide for the jurisdiction of and procedure in said court; to fix the time for holding the terms of said court; to provide for the appointment, election, qualification, duties, etc., and declaring an emergency."

The bill was read second time and passed to its third reading.

On motion of Senator Henderson, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 56 put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Faust.
Bailey.	Floyd.
Bee.	Hall.
Buchanan of Bell.	Henderson.
Buchanan of Scurry.	Hopkins.
Caldwell.	Hudspeth.
Clark.	Johnson of Hall.
Collins.	Johnston of Harris.
Decherd.	McNealus.

Page. Strickland.  
Parr. Westbrook.  
Smith.

Nays—1.

Suiter.

Absent.

Dean. Robbins.  
Gibson. Woodward.  
Lattimore.

Absent—Excused.

Dayton. McCollum.

The bill was laid before the Senate, read third time and, on motion of Senator Henderson was passed finally.

#### Senate Bill No. 61.

The Chair laid before the Senate on second reading:

S. B. No. 61, A bill to be entitled "An Act authorizing the Board of Nurse Examiners for the State of Texas to employ not less than three lecturers from among the registered nurses of the State to visit the different high schools, colleges and universities of the State, those supported by public as well as private funds, to arouse a greater interest among young women in the profession of nursing, with the view of securing volunteers for this work, authorizing said board to fix the salary and compensation of said lecturers and term of their service, and providing for the payment of their compensation and expense from fees accumulated and now in the possession of or under the control of said board; and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Buchanan of Bell, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 61 put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice. Collins.  
Bailey. Decherd.  
Bee. Faust.  
Buchanan of Bell. Floyd.  
Caldwell. Gibson.

Hall. Lattimore.  
Henderson. Parr.  
Hopkins. Smith.  
Hudspeth. Strickland.  
Johnson of Hall. Suiter.  
Johnston of Harris. Westbrook.

Present—Not Voting.

Buchanan of Scurry.

Absent.

Clark. Page.  
Dean. Robbins.  
McNealus. Woodward.

Absent—Excused.

Dayton. McCollum.

The bill was laid before the Senate, read third time and, on motion of Senator Buchanan of Bell, was passed by the following vote:

Yeas—23.

Alderdice. Hopkins.  
Bailey. Hudspeth.  
Bee. Johnson of Hall.  
Buchanan of Bell. Johnston of Harris.  
Buchanan of Scurry. Lattimore.  
Caldwell. McNealus.  
Collins. Parr.  
Faust. Smith.  
Floyd. Strickland.  
Gibson. Suiter.  
Hall. Westbrook.  
Henderson.

Present—Not Voting.

Decherd.

Absent.

Clark. Robbins.  
Dean. Woodward.  
Page.

Absent—Excused.

Dayton. McCollum.

(President Pro Tem. Decherd in the chair.)

#### Message from the House.

Hall of House of Representatives.  
Austin, Texas, March 15, 1918.  
Hon. E. A. Decherd, President Pro Tem. of the Senate.  
Sir: I am directed by the House to inform the Senate that the House has adopted  
Free Conference Committee report



on House Bill No. 14 by the following vote: Yeas, 106; nays, 4.

Does not concur in

Senate amendment to House Bill No. 8, and requests the appointment of a Free Conference Committee. The following have been appointed on the part of the House: Messrs. Bledsoe, Thomason of El Paso, Spencer, Bryan and Veatch.

Passed

H. B. No. 105, A bill to be entitled "An Act to provide that women may vote in all primary elections and nominating conventions in Texas; prescribing qualifications for such voters, providing for registration in cities of 10,000 and over, and declaring an emergency."

Does not concur in

Senate amendments to House Bill No. 26, and requests the appointment of a Free Conference Committee. The following have been appointed on part of the House: Messrs. Yantis, Murrell, McCord, Cope, and Smith of Scurry.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

#### Bills Read and Referred.

The Chair, President Pro Tem. Decherd, had referred, after its caption had been read, the following bill:

H. B. No. 105, referred to the Committee on Privileges and Elections.

#### House Bill No. 26—Free Conference Committee Appointed.

Senator Buchanan of Scurry made the following motion in writing:

"I move that the Senate grant the request of the House for a Free Conference Committee on House Bill No. 26, and that Senators Collins, Lattimore, Dean, Suiter and Floyd be elected as such committee on the part of the Senate."

BUCHANAN of Scurry.

The motion was read and adopted carrying the election of the committee named.

#### House Bill No. 8—Free Conference Committee Elected.

Senator Floyd made the following motion in writing:

I move that the Senate accede to the request of the House for a Free Conference Committee on House Bill No. 8, and that the following be elected on the part of the Senate: Westbrook, Suiter, Lattimore, Smith and Hudspeth.

FLOYD.

The motion was read and adopted, carrying the election of the committee therein named.

#### Senate Bill No. 43.

The Chair laid before the Senate on second reading:

S. B. No. 43, A bill to be entitled "An Act to make appropriation for the maintenance of the State Council of Defense and the payment of the secretary thereof and his assistants, traveling expenses and other necessary expenses to be incurred by the State Council of Defense including clerk hire, and declaring an emergency."

The committee report that the bill be printed in the Journal only was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Caldwell, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 43 put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Hall.
Bee.	Henderson.
Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	Johnston of Harris.
Collins.	Lattimore.
Dean.	McNealus.
Decherd.	Smith.
Faust.	Strickland.
Floyd.	Suiter.
Gibson.	Westbrook.

Absent.

Bailey.	Parr.
Clark.	Robbins.
Hopkins.	Woodward.
Page.	

## Absent—Excused.

Dayton. McCollum.

The bill was laid before the Senate, read third time and, on motion of Senator Caldwell, was passed by the following vote:

## Yeas—21.

Alderdice.	Hall.
Bee.	Henderson.
Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	Johnston of Harris.
Collins.	Lattimore.
Dean.	McNealus.
Decherd.	Smith.
Faust.	Suiter.
Floyd.	Westbrook.
Gibson.	

## Absent.

Bailey.	Parr.
Clark.	Robbins.
Hopkins.	Strickland.
Page.	Woodward.

## Absent—Excused.

Dayton. McCollum.

## Senate Bill No. 44.

The Chair laid before the Senate on second reading:

S. B. No. 44, A bill to be entitled "An Act to amend Section 4, Chapter 8, General Laws of the First Called Session of the Thirty-fifth Legislature of the State of Texas, entitled 'An Act to create a State Council of Defense, defining its powers and duties, making an appropriation to carry on the work of said Council of Defense and declaring an emergency,' so as to provide that no member of the Council shall ever be paid any salary or per diem for his services, except the secretary and assistant secretary who may be members of the Council, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Caldwell, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 44 put on its third read and final passage by the following vote:

## Yeas—21.

Alderdice.	Henderson.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	Lattimore.
Collins.	McNealus.
Dean.	Smith.
Decherd.	Strickland.
Faust.	Suiter.
Gibson.	Westbrook.
Hall.	

## Absent.

Bailey.	Page.
Clark.	Parr.
Floyd.	Robbins.
Hopkins.	Woodward.

## Absent—Excused.

Dayton. McCollum.

The bill was laid before the Senate, read third time and, on motion of Senator Caldwell, was passed by the following vote:

## Yeas—22.

Alderdice.	Hall.
Bailey.	Henderson.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	Lattimore.
Collins.	McNealus.
Dean.	Smith.
Decherd.	Strickland.
Faust.	Suiter.
Gibson.	Westbrook.

## Absent.

Clark.	Parr.
Floyd.	Robbins.
Hopkins.	Woodward.
Page.	

## Absent—Excused.

Dayton. McCollum.

## House Bill No. 79.

The Chair laid before the Senate on second reading:

H. B. No. 79, A bill to be entitled "An Act creating and incorporating the Close Independent School District in Garza County, Texas, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Buchanan of Scurry, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 79 put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Hall.
Bailey.	Henderson.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	Lattimore.
Collins.	McNealus.
Dean.	Smith.
Decherd.	Strickland.
Faust.	Suiter.
Gibson.	Westbrook.

Absent.

Clark.	Parr.
Floyd.	Robbins.
Hopkins.	Woodward.
Page.	

Absent—Excused.

Dayton.	McCollum.
---------	-----------

The bill was laid before the Senate, read third time and, on motion of Senator Buchanan of Scurry, was passed by the following vote:

Yeas—22.

Alderdice.	Hall.
Bailey.	Henderson.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	Lattimore.
Collins.	McNealus.
Dean.	Smith.
Decherd.	Strickland.
Faust.	Westbrook.
Gibson.	Suiter.

Absent.

Clark.	Parr.
Floyd.	Robbins.
Hopkins.	Woodward.
Page.	

Absent—Excused.

Dayton.	McCollum.
---------	-----------

#### Senate Concurrent Resolution No. 9.

(By unanimous consent.)

Whereas, The Kansas City, Mexi-

co & Orient Railway, several years ago, contracted with the citizenship of the counties lying and being between San Angelo to Del Rio, Texas, to build a line of railway from San Angelo to Del Rio, thereby connecting up with the Mexican National Railroad into the Republic of Mexico, and

Whereas, Said line has been graded from San Angelo, Texas, to eight miles below Sonora in Sutton County, Texas, being a distance of 80 miles, and

Whereas, It has graded another portion of said road from Del Rio for 25 or 30 miles, leaving a gap of something like 50 miles, and 50 miles of grade to be built, and

Whereas, The President of the United States, by proclamation, has taken over all the railroad lines in the United States, including the Kansas City, Mexico & Orient, and

Whereas, Said trunk line is necessary at this time while war is in progress between the government of the United States and the imperial government of Germany, and

Whereas, The continuation of said line would be the means of transporting cheaply, an immense amount of beef, cattle, sheep, goats, hogs and farm products raised in the Republic of Mexico, into and through the United States, and would greatly cheapen food products and increase the production to armies in the field, and

Whereas, This is certainly, at this time, a war measure that would add greatly to the increase in the quantity of our food supplies; therefore be it

Resolved, by the Senate of Texas, the House of Representatives concurring, That the Texas delegation in Congress be requested, including the United States Senators from Texas, to present this matter at once to the Director General of Railroads, the Hon. William G. McAdoo, to the end that the said Director General be requested to proceed at once to have said line constructed and that a copy of this resolution be transmitted by the Secretary of the Senate, and the Chief Clerk of the House, to each member of the Texas delegation, in the House of Representatives at Washington and the two United States Senators, and also a copy be sent by the aforementioned

officer to the President of the United States, and the Director General of Railroads, the Hon. William G. McAdoo, and the Secretary of Agriculture, the Hon. David F. Houston, and the Food Commissioner, the Hon. Herbert Hoover, and it is so ordered.

HUDSPETH.  
McNEALUS.

The resolution was read and adopted.

#### Senate Bill No. 46.

The Chair laid before the Senate on second reading:

S. B. No. 46, A bill to be entitled "An Act to provide for the creation of corporations to prevent the pollution of streams and to that end empowering such corporations to gather, impound and store water containing salt or other substances produced in the drilling or operation of oil wells or other wells; and authorizing such corporations to charge reasonable rates for service; and prohibiting discrimination between patrons; and conferring upon such corporations the power of condemnation of necessary land and rights; authorizing corporations interested in the proper disposition of such waters to subscribe for, own and vote stock in corporations created hereunder; and declaring an emergency."

The committee report that the bill be printed in the Journal only, was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Caldwell, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 46 put on its third reading and final passage by the following vote:

Yeas—21.

Alderdice.	Hall.
Bailey.	Henderson.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	Lattimore.
Collins.	McNealus.
Decherd.	Smith.
Faust.	Suiter.
Floyd.	Westbrook.
Gibson.	

Absent.

Clark.	Parr.
Dean.	Robbins.
Hopkins.	Strickland.
Page.	Woodward.

Absent—Excused.

Dayton.	McCollum.
---------	-----------

The bill was laid before the Senate, read third time and, on motion of Senator Collins, was passed by the following vote:

Yeas—22.

Alderdice.	Hall.
Bailey.	Henderson.
Bee.	Hopkins.
Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	Johnston of Harris.
Collins.	Lattimore.
Decherd.	McNealus.
Faust.	Smith.
Floyd.	Suiter.
Gibson.	Westbrook.

Absent.

Clark.	Robbins.
Dean.	Strickland.
Page.	Woodward.
Parr.	

Absent—Excused.

Dayton.	McCollum.
---------	-----------

#### Senate Bill No. 82.

The Chair laid before the Senate on second reading:

S. B. No. 82, A bill to be entitled "An Act creating the Gatesville Independent School District in the County of Coryell, State of Texas; defining its boundaries, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Buchanan of Bell, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 82 put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Bee.
Bailey.	Buchanan of Bell.



Buchanan of Scurry.	Hopkins.
Caldwell.	Hudspeth.
Collins.	Johnson of Hall.
Decherd.	Johnston of Harris
Faust.	Lattimore.
Floyd.	McNealus.
Gibson.	Smith.
Hall.	Suiter.
Henderson.	Westbrook.

Absent.

Clark.	Robbins.
Dean.	Strickland.
Page.	Woodward.
Parr.	

Absent—Excused.

Dayton. McCollum.

The bill was laid before the Senate, read third time and, on motion of Senator Buchanan of Bell, was passed by the following vote:

Yeas—21.

Bailey.	Henderson.
Bee.	Hopkins.
Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	Johnston of Harris.
Collins.	Lattimore.
Decherd.	McNealus.
Faust.	Smith.
Floyd.	Suiter.
Gibson.	Westbrook.
Hall.	

Absent.

Alderdice.	Parr.
Clark.	Robbins.
Dean.	Strickland.
Page.	Woodward.

Absent—Excused.

Dayton. McCollum.

Adjournment.

At 5:25 o'clock p. m. Senator Johnston of Harris moved to adjourn until 10 o'clock Monday morning.

As a substitute Senator Westbrook moved to adjourn until 10 o'clock tomorrow.

Action recurred upon the longest time first, and the motion to adjourn until 10 o'clock next Monday morning was lost by the following vote:

Yeas—6.

Bailey. Caldwell.

Faust.	Hudspeth.
Gibson.	Johnston of Harris.

Nays—16.

Alderdice.	Henderson.
Bee.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Lattimore.
Collins.	McNealus.
Decherd.	Smith.
Floyd.	Suiter.
Hall.	Westbrook.

Absent.

Clark.	Robbins.
Dean.	Strickland.
Page.	Woodward.
Parr.	

Absent—Excused.

Dayton. McCollum.

The motion to adjourn until 10 o'clock tomorrow prevailed.

## APPENDIX.

## Petitions and Memorials

Senator Bee offered a numerously signed petition from San Antonio in opposition to suffrage, etc.

## Engrossing Committee Reports.

## Committee Room.

Austin, Texas, March 15, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 27, carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

## Committee Room.

Austin, Texas, March 15, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 70, carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

## Committee Room.

Austin, Texas, March 15, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No.

55 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room.

Austin, Texas, March 15, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 72 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room.

Austin, Texas, March 15, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 28 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

#### Committee Reports.

Committee Room.

Austin, Texas, March 15, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 76, A bill to be entitled "An Act to make unlawful sexual intercourse by any person knowing or having reasonable ground to believe that he is infected with any communicable disease and to provide a penalty therefor,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

PAGE, Chairman.

Committee Room.

Austin, Texas, March 15, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 52, A bill to be entitled "An Act to amend Article 889, passed at the Regular Session of the Thirty-fourth Legislature, amending Chapter 6, Title 13, of the Penal Code of 1911, and which amendment relates to the closed season for killing doves, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

PAGE, Chairman.

Committee Room.

Austin, Texas, March 15, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate:

Sir: Your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 62, A bill to be entitled "An Act to amend Article 1197, Title 17, of the Code of Criminal Procedure of the State of Texas, relating to delinquent children so as to include and further prescribe the procedure in cases of boys and girls, fixing penalties, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

PAGE, Chairman.

Committee Room.

Austin, Texas, March 15, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 63, A bill to be entitled "An Act to amend Chapter 6, Title 15, of the Penal Code of 1911, by adding thereto Article 1055a, making it a penal offense for any person to cause, encourage or contribute to the delinquency of any minor under the age of seventeen years, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

PAGE, Chairman.

Committee Room.

Austin, Texas, March 15, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 75, A bill to be entitled "An Act to amend Article 639, Chapter 9, Title 11, of the Penal Code of the State of Texas, adopted in 1911,

changing the punishment for vagrancy and providing for the treatment of vagrants affected with communicable venereal diseases."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

PAGE, Chairman.

(Majority Report.)

Committee Room.

Austin, Texas, March 15, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 71, A bill to be entitled "An Act to amend Chapter 11, of Title 17, of the Penal Code of the State of Texas, as adopted by the Regular Session of the Thirty-second Legislature, 1911, so as to add thereto Article 1355a, making it a felony punishable by confinement in the penitentiary to steal any domesticated animal, bird or fowl, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

PAGE, Chairman.

(Minority Report.)

Committee Room.

Austin, Texas, March 15, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: We, a minority of your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 71, A bill to be entitled "An Act to amend Chapter 11, of Title 17, of the Penal Code of the State of Texas, as adopted by the Regular Session of the Thirty-second Legislature, 1911, so as to add thereto Article 1355a, making it a felony punishable by confinement in the penitentiary to steal any domesticated animal, bird or fowl, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass.

CALDWELL:

Committee Room.

Austin, Texas, March 15, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Federal Relations, to whom was referred

S. B. No. 85, A bill to be entitled "An Act to amend Article 6552, Title 115, Chapter 10 of the Revised Civil Statutes of 1911, providing that trains shall be regulated and notice shall be given of the time of trains, their places of stopping for freight and passengers; providing further that no railroad company, manager or receiver shall cease to operate trains on any railroad, and if they have so ceased to operate shall resume operation; providing further that the Railroad Commission of the State of Texas shall enforce the regulations hereof, and shall report to the Attorney General violations hereof, who shall file suit to enforce the same, and that this Act shall be cumulative of all laws now in force on this subject, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HOPKINS, Chairman.

Committee Room.

Austin, Texas, March 15, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 59, A bill to be entitled "An Act to amend Section 1, of Senate Bill No. 5, Chapter 7, of the General Laws of Texas, as passed by the Thirty-third Legislature at its Regular Session and approved on February 11, 1913, as the same appears on page 8, of the General Laws of the Thirty-third Legislature at its Regular Session, the same being commonly called the 'Suspended Sentence Law,' and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

PAGE, Chairman.

## Committee Room.

Austin, Texas, March 15, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 74, A bill to be entitled "An Act to prevent and punish prostitution and other unlawful sexual intercourse and the spread of venereal diseases within the State of Texas, by amending Articles 496 and 504, Chapter 4, Title 10, of the Penal Code of the State of Texas of 1911, and by adding after Article 504 certain Articles to be numbered and known as Articles 504a and 504b and to read as herein set out, and by amending Articles 4689 and 4690 of Title 69, of the Revised Civil Statutes of Texas of 1911, and by adding after said Article 4690 certain Articles to be numbered and known as Articles 4690a, 4690b, 4690c and 4690d,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

PAGE, Chairman.

## Committee Room.

Austin, Texas, March 15, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 87, A bill to be entitled "An Act to repeal Article 7380 of Chapter 2, Title 126, of the Revised Civil Statutes of the State of Texas, of 1911, as enacted in Section 12 of Chapter 18 of the General Laws of the State of Texas, passed at the First Called Session of the Thirtieth Legislature, approved May 16, 1907, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

PAGE, Chairman.

## Committee Room.

Austin, Texas, March 15, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 65, A bill to be entitled "An Act to amend Senate Bill No. 99, Chapter 101, of the General Laws of Texas, as passed by the Thirty-third Legislature at its Regular Session and approved April 2, 1913, as the same appears on pages 188 and 189 of the General Laws of the Thirty-third Legislature at its Regular Session, the same being commonly called the 'Wife Desertion Law,' and declaring an emergency,"

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass.

PAGE, Chairman.

## Committee Room.

Austin, Texas, March 15, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 60, A bill to be entitled "An Act to amend Article 1063, Title 15, Chapter 8, Revised Penal Code of the State of Texas, of 1911, defining rape, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass with the following committee amendment:

Change the semicolon in line 21, after the word "fraud" to a period, and strike out all the remainder of Section 1.

PAGE, Chairman.

## Committee Room.

Austin, Texas, March 15, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Finance, to whom was referred

S. B. No. 30, A bill to be entitled "An Act to better provide for the location, establishment and construction of the hospital at Rusk, Texas, for the care, treatment and support of insane persons of African race, or descent, etc.,"

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do not pass, and that committee substitute for said bill do pass, and be not printed.

HUDSPETH, Chairman.



(Floor Report.)

Senate Chamber,  
Austin, Texas, March 15, 1918.

Hon. E. A. Decherd, President Pro  
Tem. of the Senate.

Sir: Your Committee on Judicial  
Districts, to whom was referred

S. B. No. 92, A bill to be entitled  
"An Act providing for additional  
compensation for district attorneys  
and county attorneys performing the  
duties of district attorneys, in coun-  
ties containing cities of thirty-five  
thousand inhabitants and over, in  
the prosecution of violations of what  
is known as the 'Ten Mile Zone Law,'  
and investigations before grand  
juries, and declaring an emergency,"

Have had the same under consid-  
eration, and beg leave to report the  
same back to the Senate with the  
recommendation that it do pass and  
be not printed.

Hall, Parr, Henderson, Johnston  
of Harris, Collins.

(Floor Report.)

Senate Chamber,  
Austin, Texas, March 15, 1918.

Hon. E. A. Decherd, President Pro  
Tem. of the Senate.

Sir: Your Committee on Mining,  
Irrigation and Drainage, to whom  
was referred,

S. B. No. 79, A bill to be entitled  
"An Act to make effective the pro-  
visions of Section 59 of Article 16,  
of the Constitution, providing for the  
creation of conservation and reclama-  
tion districts and providing that any  
water improvement district, drainage  
district or levee improvement dis-  
trict organized as defined districts,  
under the provisions of any law of  
this State and Section 52 of Article  
3, of the Constitution, may avail  
itself of the benefits of Section 59  
of Article 16 of the Constitution and  
providing that any such district may  
incur indebtedness, and levy taxes  
necessary to carry out the purpose  
of its organization; removing restric-  
tions and limitations of indebtedness  
to be incurred by any such district;  
providing for the management and  
control of such district and declar-  
ing an emergency,"

Have had the same under consid-  
eration and beg leave to report the  
same back to the Senate with the  
recommendation that it do pass and  
be not printed.

Hall, Chairman; Bailey, Clark,  
Faust, Caldwell, Collins.

Committee Room.

Austin, Texas, March 15, 1918.

Hon. E. A. Decherd, President Pro  
Tem. of the Senate.

Sir: Your Committee on Educa-  
tional Affairs, to whom was referred  
House Bill No. 118,

Have had same under considera-  
tion and I am directed by the Com-  
mittee to report same back to the  
Senate with the recommendation that  
it do pass and be not printed.

BEE, Chairman.

Committee Room.

Austin, Texas, March 15, 1918.

Hon. E. A. Decherd, President Pro  
Tem. of the Senate.

Sir: Your Committee on Educa-  
tional Affairs, to whom was referred  
S. B. No. 86, A bill to be entitled  
"An Act creating and establishing  
the Winnie Independent School Dis-  
trict in the counties of Chambers  
and Jefferson, State of Texas; defin-  
ing its boundaries and divesting the  
bodies now controlling the same of  
the title of all property now held and  
used for public purposes within this  
Act described, and investing the  
same in the Winnie Independent  
School District; providing for the  
election of a board of trustees to  
manage and control the public free  
schools in said district, authorizing  
said district to issue bonds and to  
assume the outstanding indebtedness  
against any of the common school  
districts affected by this Act; and in-  
vesting the said district with the  
rights, privileges, powers of a town  
and village incorporated for free  
school purposes only under the Gen-  
eral Laws, and declaring an emer-  
gency,"

Have had the same under consid-  
eration and beg leave to report the  
same back to the Senate with the re-  
commendation that it do pass and be  
not printed.

BEE, Chairman.

(Floor Report.)

Senate Chamber,  
Austin, Texas, March 15, 1918.

Hon. E. A. Decherd, President Pro  
Tem. of the Senate.

Sir: Your Committee on Banking

and Insurance, to whom was referred

Senate Bill No. 95,

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed, but be printed in the Journal.

Gibson, Chairman; McNealus, Bailey, Smith, Hudspeth.

By McNealus. S. B. No. 95.

A BILL  
To be entitled

An Act declaring that casualty insurance companies incorporated under Chapter 117, General Laws passed by the Regular Session of the Thirty-second Legislature, shall hereafter have authority to write marine insurance, in which may be included the hazards and perils incident to war; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That casualty insurance companies incorporated under Chapter 117 General Laws passed by the Regular Session of the Thirty-second Legislature, shall hereafter have authority to write marine insurance, in which may be included the hazards and perils incident to war.

Section 2. The fact that this is a called session of the Legislature, and the importance of this legislation, creates an emergency and an imperative public necessity which requires that the constitutional rule providing that bills shall be read on three several days be suspended, and said rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

(Floor Report.)

Senate Chamber,

Austin, Texas, March 15, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Mining and Irrigation, to whom was referred

House Bill No. 28,

Have had the same under consideration and beg to report the same back to the Senate with the recom-

mendation that it do pass and be printed in the Journal only.

Hall, Chairman; Bailey, Faust, Caldwell, Collins.

By Tillotson, et al. H. B. No. 28.

A BILL  
To be entitled

An Act to make effective the provisions of Section 59, of Article 16, of the Constitution, providing for the creation of conservation and reclamation districts, and providing that any water improvement district, drainage district, or levee improvement district organized or to be organized as defined districts under the provisions of any law of this State and Section 52 of Article 3, of the Constitution, may avail itself of the benefits of Section 59 of Article 16 of the Constitution, and providing that any such district may incur indebtedness and levy taxes necessary to carry out the purpose of its organization; removing restrictions and limitations of indebtedness to be incurred by any such district; providing for the management and control of such district; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Conservation and reclamation districts may be created and organized in any manner that water improvement districts, drainage districts or levee improvement districts are now authorized by the laws of this State to be created, and for the several purposes therein provided.

Section 2. Any water improvement district, drainage district, or levee improvement district heretofore organized or hereafter organized under the laws of this State, as defined districts, under Section 52, Article 3 of the Constitution, may avail itself of the benefits of Section 59 of Article 16 of the Constitution, and thereby become a conservation and reclamation district without change of name.

Section 3. Any conservation or reclamation district hereafter organized under this Act, and any water improvement district, drainage district or levee improvement district which may be constituted a conser-

vation and reclamation district under this Act, may incur indebtedness and levy taxes to fully carry out each and all of the purposes of its organization, and for the payment of its obligations and the maintenance and operation of said district.

Section 4. All limitations of indebtedness authorized to be incurred and taxes to be levied, imposed by Section 52 of Article 3 of the Constitution, and any and all laws under which any such district has been or may be organized, are removed as to all districts which may become conservation and reclamation districts under the terms of this Act.

Section 5. Any water improvement district, or irrigation district heretofore or hereafter organized under the laws of this State may become and be made a conservation and reclamation district; as herein provided, in the following manner: When a petition signed by twenty per cent of the owners of land in such district, praying therefor, is presented to the directors, they shall order an election to be held to determine such issue, such election to be conducted as provided for general elections in such districts. The ballots shall have printed thereon the following: "For Conservation and Reclamation." "Against Conservation and Reclamation." The directors shall canvass the returns and declare the result of such election, and have recorded in the deed records of the county or counties in which such district is situated a full copy of the order declaring the result of such election; and when such order is in favor of so making such district a conservation and reclamation district, it shall become such district without change of name or impairment of its obligations, upon the result of such election being declared and recorded as herein provided.

Section 6. Any conservation and reclamation district organized for the purpose for which water improvement districts and irrigation districts have heretofore been organized, or any water improvement district or irrigation district becoming a conservation and reclamation district under the terms hereof, shall be governed and controlled by the provisions of Chapter 57, Acts of the Thirty-fifth Legislature, Regular

Session, except as herein otherwise provided.

Section 7. Any drainage district heretofore organized or hereafter to be organized under the laws of this State, may by a petition, in writing, to the commissioners courts, on hearing before such court, as provided for in Sections 2, 3, and 4, Chapter 36, General Laws of 1913, and prior laws and amendments thereof, upon the order of said court to that effect entered of record, become such conservation and reclamation district without change of name or impairment of obligations.

Section 8. Any conservation and reclamation district organized for the purpose for which drainage districts have heretofore been organized under Chapter 4, Title 47, of the Revised Civil Statutes of 1911, and amendments thereof, and prior laws relating to the same subject, and any such drainage district becoming a conservation and reclamation district under the terms of this law shall be governed and controlled by the provisions of Chapter 4, Title 47 of the Revised Civil Statutes of 1911, and amendments thereof, except as herein otherwise provided.

Section 9. Any improvement district or levee improvement district heretofore organized or hereafter to be organized under the laws of this State, may, by petition in writing to the commissioners court, on hearing before such court, as provided in Sections 2, 3, 5, and 6, of Chapter 146, Acts of the Thirty-fourth Legislature, upon order of said court to that effect, entered of record, become such conservation and reclamation district without change of name or impairment of its obligation.

Section 10. Any conservation and reclamation district organized for the purposes for which levee improvement districts have heretofore been organized under Chapter 146, Acts of the Thirty-fourth Legislature, Regular Session, 1915, and prior laws relating to the same subject, or amendments thereof, or any levee improvement district becoming a conservation and reclamation district under the terms of this Act, shall be governed and controlled by the provisions of Chapter 146, Acts of the Thirty-fourth Legislature, Regular Session, and amendments thereof, except as herein otherwise provided.

Section 11. The fact that there is no law making effective the provisions of Section 59, Article 16, of the Constitution as applying to conservation and reclamation districts, and that to put said provision of the Constitution into immediate effect as herein provided will greatly increase the productive area of the State, and is of vital importance to the State and Nation, creates an emergency and an imperative public necessity exists requiring the suspension of the constitutional rule requiring bills to be read on three several days, and it is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

#### Enrolling Committee Reports.

Committee Room.

Austin, Texas, March 15, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 41, copy of which is hereto attached and find it correctly enrolled, and have this day at 2:48 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

Committee Room.

Austin, Texas, March 15, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Concurrent Resolution No. 8, copy of which is hereto attached and find it correctly enrolled, and have this day at 2:48 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

By Hudspeth, and S. C. R. No. 8.  
Bailey.

Whereas, The drouth in the school land area of the State is so severe that the resources of the citizens are necessary for the feeding of stock and personal existence; and

Whereas, The interest due on the school land accounts is well secured by a lien on the land; therefore be it

Resolved, by the Senate of the State of Texas, the House concurring, That the forfeiture by the Commissioner of the General Land Office of public free school land for the failure to pay interest due on purchases for the years 1916, and 1917 and 1918, be held in abeyance until August, 1919.

#### SIXTEENTH DAY.

Senate Chamber.

Austin, Texas,

Saturday, March 16, 1918.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by President Pro Tem. Decherd.

By unanimous consent, and on request of Senator McNealus, the Senate stood at ease for twenty minutes, at the expiration of which time the roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Henderson.
Bailey.	Hopkins.
Bee.	Johnson of Hall.
Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	McNealus.
Caldwell.	Robbins.
Collins.	Smith.
Dean.	Strickland.
Decherd.	Suiter.
Floyd.	Westbrook.
Gibson.	Woodward.
Hall.	

Absent—Excused.

Clark.	Johnston of Harris.
Dayton.	McCollum.
Faust.	Page.
Hudspeth.	Parr.

Prayer by Rev. Simeon Shaw.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Alderdice.

Excused.

Senators Johnston of Harris and Faust were excused for today, on account of important business, on motion of Senator Bailey.

Senator Clark for today on account of important business on motion of Senator McNealus.